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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,247	11/25/2003	Lutz Gerhard	MSFT-2782/302762.01	6041

41505 7590 08/21/2006

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EXAMINER

EHICHIOYA, FRED I

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 08/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/722,247

Applicant(s)

GERHARD, LUTZ

Examiner

Fred I. Ehichioya

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 34 is/are rejected.
- 7) ☒ Claim(s) 12 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 34 are pending in this Office Action.

Claim Objections

2. Claims 12 and 25 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 – 6, 8 – 17, 19 – 21, 25 - 27, and 29 - 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Applicant Admitted Prior Art (hereinafter “APA”).

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Regarding claims 1 and 12, APA discloses a method for replicating a master file, the method comprising:

providing at a client computing device an interface that enables a user to select the master file for replication (specification "Spec" page 6, paragraph 28: "Server 210 operates in connection with client 220. Server 210 may connect with client 220 via a local area network (LAN) or a wide area network (WAN) such as the Internet"; Examiner interprets "local area network (LAN) or a wide area network (WAN)" that connects the client and server as "interface"); and

replicating from the client computing device to a connected computing device a change to the master file (spec page 7, paragraph 32: "At step 314b, changes are made to master 215. Such changes may originate directly from server 210. Alternatively, as set forth above, such changes may be replicated to server 210 from another connected client").

Regarding claim 2, APA discloses replicating at the client computing device from the connected computing device a change to a replica of the master file (spec Fig. 3, steps 312, 314A, 316 and page 7, paragraphs 31, 32 and 33).

Regarding claim 3, APA discloses replicating at the client computing device the change to the replica according to a conflict resolution scheme (spec page 8, paragraph 34: "At step 318, server 210 replicates replica 225 to master 215 according to a conflict resolution scheme. It may first be determined whether any conflicts exist between the local changes made at step 314a and the server changes made at step 314b. If no conflicts exist, then the local changes made at step 314a are replicated to master 215").

Regarding claim 4, APA discloses replicating at the client computing device the change to the replica if the change to the replica does not conflict with the master file (spec page 7, paragraph 28: "Changes may be made locally to replica 225 at client 220 and, if such local changes do not conflict with changes to master 215, such local changes may be replicated back to master 215").

Regarding claim 5, APA discloses replicating from the client computing device to a server the change to the master file (spec page 7, paragraph 32: "At step 314b, changes are made to master 215. Such changes may originate directly from server 210. Alternatively, as set forth above, such changes may be replicated to server 210 from another connected client").

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Regarding claims 6, 17 and 27, APA discloses replicating the change to the master file in response to an event occurring at the client computing device (spec page 7, paragraph 32: "at another connected client, the third row of a replica may be deleted. This change may be then replicated back to master 215, resulting in the third row being deleted from master 215 at step 314b").

Regarding claim 8, APA discloses replicating the change to the master file in response to a request from the connected computing device (spec page 7, paragraph 32: "at another connected client, the third row of a replica may be deleted. This change may be then replicated back to master 215, resulting in the third row being deleted from master 215 at step 314b").

Regarding claim 9, APA discloses providing at a client computing device an interface that enables a user to select a portion of the master file for replication (specification "Spec" page 6, paragraph 28: "Server 210 operates in connection with client 220. Server 210 may connect with client 220 via a local area network (LAN) or a wide area network (WAN) such as the Internet"; Examiner interprets "local area network (LAN) or a wide area network (WAN)" that connects the client and server as "interface").

Regarding claim 10, APA discloses providing at a client computing device an interface that enables a user to select a security option for replication of the master file (specification "Spec" page 6, paragraph 28: "Server 210 operates in connection with client 220. Server 210 may connect with client 220 via a local area network (LAN) or a wide area network (WAN) such as the Internet"; Examiner interprets "local area network (LAN) or a wide area network (WAN)" that connects the client and server as "interface").

Regarding claim 11, APA discloses providing at a client computing device an interface that enables a user to select a security option for replication of selected a portion of the master file (specification "Spec" page 6, paragraph 28: "Server 210 operates in connection with client 220. Server 210 may connect with client 220 via a local area network (LAN) or a wide area network (WAN) such as the Internet"; Examiner interprets "local area network (LAN) or a wide area network (WAN)" that connects the client and server as "interface").

Regarding claims 13 and 25, APA discloses a method for replicating a master file, the method comprising:

replicating from a client computing device to a replica a change to the master file (spec page 7, paragraph 32: "At step 314b, changes are made to master 215. Such changes may originate directly from server 210. Alternatively, as set forth above, such

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changes may be replicated to server 210 from another connected client”), the client computing device providing an interface enabling a user to select the master file for replication (specification “Spec” page 6, paragraph 28: “Server 210 operates in connection with client 220. Server 210 may connect with client 220 via a local area network (LAN) or a wide area network (WAN) such as the Internet”; Examiner interprets “local area network (LAN) or a wide area network (WAN)” that connects the client and server as “interface”); and

replicating to the client computing device a change to the replica (spec page 7, paragraph 33: “Replica 225 may be replicated to server 210 by identifying the local changes made to replica 225 at step 314a and replicating such local changes to client 220”).

Regarding 14, APA discloses replicating at a server the change to the master file (spec page 7, paragraph 32: “changes are made to master 215. Such changes may originate directly from server 210”).

Regarding claim 15, APA discloses replicating to the client computing device the change to the replica according to a conflict resolution scheme (spec page 7, paragraph 29: “A local change to replica 225 at client 220 may be related a change to another replica at another connected client. For example, a particular row may be both deleted at client 220 and modified at another client. When such related changes are replicated back to server 210 from client 220 and from the other connected client, such related

changes may result in a conflict. Such a conflict may be resolved according to one of several conventional conflict resolution schemes, which are discussed in detail below with reference to FIG. 3").

Regarding claim 16, APA discloses replicating to the client computing device the change to the replica if the change to the replica does not conflict with the master file (spec page 7, paragraph 28: "Changes may be made locally to replica 225 at client 220 and, if such local changes do not conflict with changes to master 215, such local changes may be replicated back to master 215").

Regarding claim 19, APA discloses requesting replication of the change to the master file in response to a command from another client computing device spec page 7, paragraph 32: "at another connected client, the third row of a replica may be deleted. This change may be then replicated back to master 215, resulting in the third row being deleted from master 215 at step 314b").

Regarding claim 20, APA discloses replicating to another client computing device the change to the master file (spec page 7, paragraph 32: "Alternatively, as set forth above, such changes may be replicated to server 210 from another connected client").

Regarding claim 21, APA discloses replicating from another client computing device the change to the replica (Spec page 7, paragraph 29: "A local change to replica 225 at client 220 may be related a change to another replica at another connected client").

Regarding claim 26, APA discloses a system for replicating a master file, the system comprising:

a client computing device providing a user interface that enables a user to select the master file for replication (specification "Spec" page 6, paragraph 28: "Server 210 operates in connection with client 220. Server 210 may connect with client 220 via a local area network (LAN) or a wide area network (WAN) such as the Internet"; Examiner interprets "local area network (LAN) or a wide area network (WAN)" that connects the client and server as "interface"), the client computing device replicating a change to the master file to a connected computing device (spec page 7, paragraph 32: "At step 314b, changes are made to master 215. Such changes may originate directly from server 210. Alternatively, as set forth above, such changes may be replicated to server 210 from another connected client"); and

the connected computing device replicating from the client computing device to a replica the change to the master file (spec Fig. 3, steps 312, 314A, 316 and page 7, paragraphs 31, 32 and 33).

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Regarding claim 29, APA discloses the client computing device replicates the change to the master file in response to a request from the connected computing device (spec page 7, paragraph 32: "at another connected client, the third row of a replica may be deleted. This change may be then replicated back to master 215, resulting in the third row being deleted from master 215 at step 314b").

Regarding claim 30, APA discloses the client computing device replicates to the master file a change to the replica (spec page 7, paragraph 28: "Changes may be made locally to replica 225 at client 220 and, if such local changes do not conflict with changes to master 215, such local changes may be replicated back to master 215").

Regarding claim 31, APA discloses the client computing device replicates to the master file a change to the replica according to a conflict resolution scheme (spec page 8, paragraph 34: "server 210 replicates replica 225 to master 215 according to a conflict resolution scheme").

Regarding claim 32, APA discloses the connected computing device is a server (spec page 6, paragraph 28: "Server 210 operates in connection with client 220. Server 210 may connect with client 220 via a local area network (LAN) or a wide area network (WAN)").

Regarding claim 33, APA discloses the server replicates to a replication client the change to the master file (spec page 7, paragraph 30: "At step 310, server 210 replicates master 215 to client 220").

Regarding claim 34, APA discloses the server replicates from a replication client the change to the replica (spec page 7, paragraph 32: "Alternatively, as set forth above, such changes may be replicated to server 210 from another connected client. For example, at another connected client, the third row of a replica may be deleted").

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7, 18, 22 – 24, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over APA in view of Neeman et al. "Neeman" (USPN 5,588,147).

Regarding claims 7, 18 and 28, APA discloses the claimed subject matter as discussed in claims 6, 17 and 27 respectively. APA does not explicitly disclose expiration of a selected time interval as claimed.

However, Neeman discloses replicating the change to the master file in response to one of an expiration of a selected time interval, closing the master file at the client

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device, saving the master file at the client device, and shutting down the client device (column 6, lines 37 – 41: Examiner interprets “the passage of a certain amount of time” as “expiration of a selected time interval”).

It would have been obvious to one of ordinary skills in the art at the time of the present invention to combine the cited references because Neeman's teaching of “replicating the change to the master file in response to an expiration of a selected time interval” would allow APA to enhance system reliability, e.g., no one client or server (which may fail) exclusively possesses access to required data. The motivation is that having replicated data in clients/servers in the distributed system allow update data to be available at all time even if one client/server fails.

Regarding claim 22, Neeman discloses providing a security option (column 3, lines 30 - 32) for the master file enabling the change to the master file to be replicated (column 8, lines 44 - 47).

Regarding claim 23, Neeman discloses replicating a change to a portion of the master file selected for replication (column 2, lines 20 – 22).

Regarding claim 24, Neeman discloses providing a security option (column 3, lines 30 - 32) for the portion of the master file enabling the change to the portion of the master file to be replicated (column 8, lines 44 - 47).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred I. Ehichioya whose telephone number is 571-272-4034. The examiner can normally be reached on M - F 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fred I. Ehichioya
Patent Examiner
Art Unit 2162

August 16, 2006


SHAHID ALAM
PRIMARY EXAMINER